

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

RECEIVED

DEC 9 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.606(b),
 Table of Allotments,
 Television Broadcast Stations.
 (Opelika and Phenix City, Alabama)

Amendment of Section 73.622(b),
 DTV Table of Allotments,
 DTV Broadcast Stations.
 (Opelika and Phenix City, Alabama)

MM Docket No. 99-____
 RM-____

To: The Chief,
 Allocations Branch,
 Policy and Rules Division,
 Mass Media Bureau

SUPPLEMENT TO PETITION FOR RULE MAKING

On September 9, 1999, Pappas Telecasting of Opelika, a California Limited Partnership ("Pappas Telecasting") submitted a Petition for Rule Making to the Commission in the above-captioned proceeding (the "Petition"). The Petition requests the Commission to initiate a public-notice-and-comment rule making proceeding for the purpose of amending the Commission's Tables of Allotments for Analog and Digital Television (or "DTV") Stations, Sections 73.606(b) and 73.622(b) of the Commission's Rules and Regulations, respectively, 47 C.F.R. §§ 73.606(b) and 73.622(b). The proposed amendments

044

would (i) delete the present allotments of Analog Channel 66 and DTV Channel 31 to Opelika, Alabama in the Analog Table of Allotments and in the DTV Table of Allotments, respectively; (ii) allot Analog Channel 66 and DTV Channel 31 to Phenix City, Alabama in the Analog Table of Allotments and in the DTV Table of Allotments, respectively; and (iii) modify Pappas Telecasting's outstanding license from the Commission to operate primary analog UHF commercial television broadcasting station WSWs (TV) on Analog Channel 66 in Opelika, in order to reflect the change in the station's community of license from Opelika to Phenix City.

Subsequent to the filing of the Petition, on November 1, 1999 Pappas Telecasting filed with the Commission an application for a construction permit to build a new primary digital UHF commercial television broadcasting station, WSWs-DT, on DTV Channel 31 in Opelika (File No. BPCDT-19991101AGV).

This Supplement to the Petition responds to an informal request from the Commission's staff to address issues relating to the proposed removal of the allotment of DTV Channel 31 from Opelika to Phenix City. Attached to this Supplement to the Petition, as Appendix A, is the Engineering Statement of Neil M. Smith, P.E., of the firm of Smith and Fisher in Washington, D.C., Pappas Telecasting's independent broadcast engineering consultant, dated December 6, 1999. Mr. Smith's Engineering Statement addresses the staff's issues and conforms the proposed removal of the allotment of DTV Channel 31

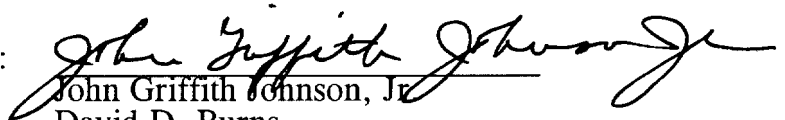
from Opelika to Phenix City, as set forth in the Petition, to the engineering proposal in the pending application in File No. BPCDT-19991101AGV. As Mr. Smith's Engineering Statement observes, however, the pending application in File No. BPCDT-19991101AGV is not dependent upon the Petition.

WHEREFORE, the Commission is respectfully urged to complete its review of the Petition, as hereby supplemented, and to issue a *Notice of Proposed Rule Making* consistent with the proposals in the Petition at the earliest practicable date.

Respectfully submitted,

**PAPPAS TELECASTING OF OPELIKA,
A CALIFORNIA LIMITED PARTNERSHIP**

By:


John Griffith Johnson, Jr.
David D. Burns
Its Attorneys

Paul, Hastings, Janofsky & Walker LLP
1299 Pennsylvania Avenue, N.W.
Tenth Floor
Washington, D.C. 20004-2400
Telephone: (202) 508-9578
Facsimile: (202) 508-8578

December 9, 1999

APPENDIX A

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of PAPPAS TELECASTING OF OPELIKA, licensee of WSWs(TV), Channel 66, Opelika, Alabama, in support of its supplement to its pending Petition for Rulemaking in which it was proposed to change the WSWs community of license to Phenix City, Alabama.

In MM Docket No. 87-268, DTV Channel 31 was allotted to Opelika to be paired with analog Channel 66. It is the purpose of this supplement to propose parameters for the digital allotment.

It is proposed that the DTV allotment site be at coordinates 32° 19' 25", 84° 46' 46", and that the allotment facilities be 126 kilowatts at 418 meters. Attached as Figures 1 and 2 are proposed allotment patterns for Channel 31. These facilities are specified in the pending WSWs-DT application, and have been shown not to cause interference to any analog or digital station beyond that permitted under the Rules.

However, it should be noted that the pending WSWs-DT application is not dependent on this rulemaking proceeding, since the proposed digital facility would provide the required service to Opelika.

I declare under penalty of perjury that the above statements and the attached figures are true and correct to the best of my knowledge and belief.



NEIL M. SMITH

December 6, 1999

ANDREW **AZIMUTH PATTERN**

Type: _____

Directivity: _____

Peak(s) At: _____

Polarization: _____

Channel: _____

Location: _____

Numerals

1.80

dBd

(2.55)

0° T. _____

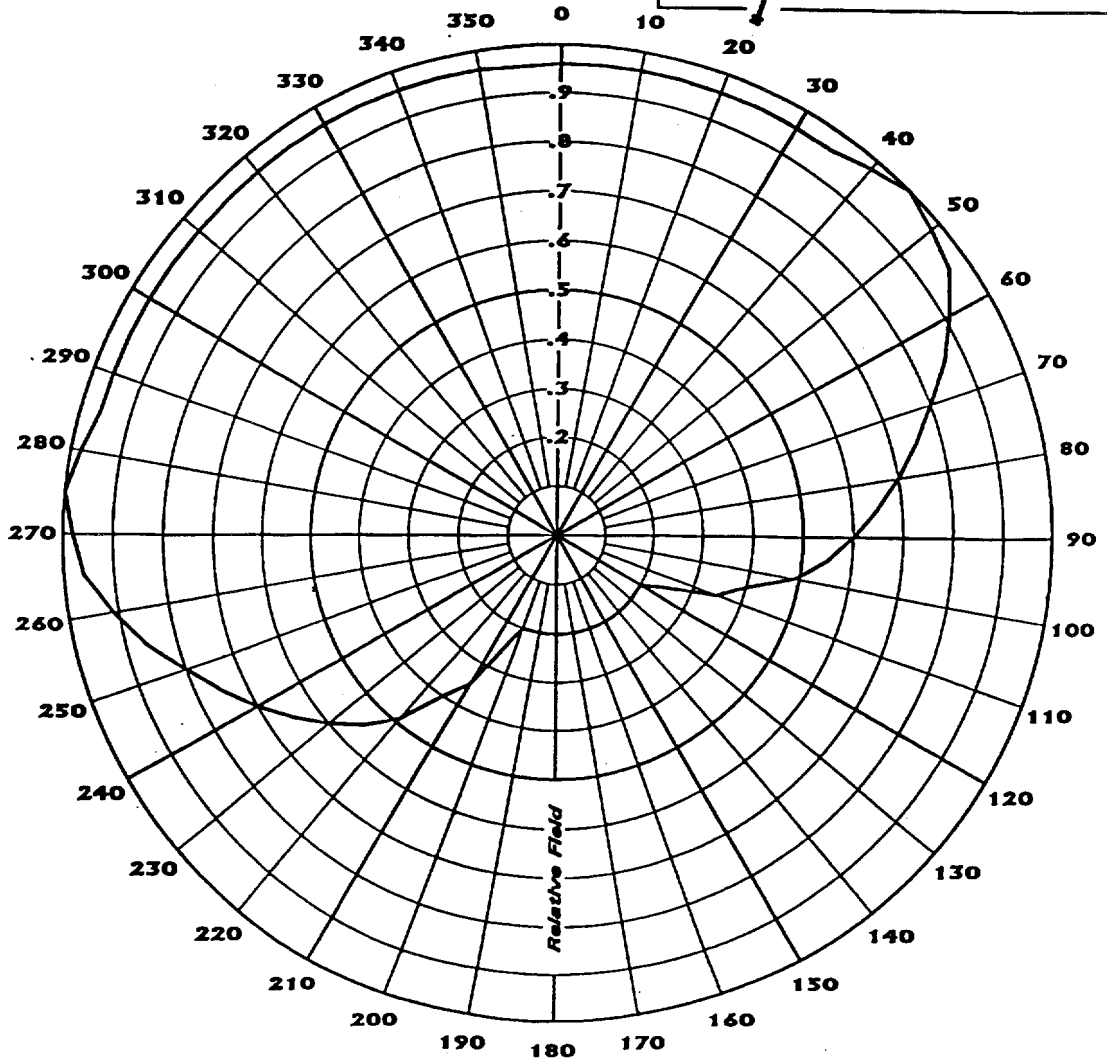


FIGURE 1

HORIZONTAL RELATIVE FIELD PATTERN

**PROPOSED WWS-DT
CHANNEL 31 - PHENIX CITY, ALABAMA**

SMITH AND FISHER

FIGURE 2

HORIZONTAL RELATIVE FIELD PATTERN

PROPOSED WSW-S-DT

CHANNEL 31 - PHENIX CITY, ALABAMA

<u>Azimuth</u> <u>(° T)</u>	<u>Relative</u> <u>Field</u>	<u>ERP</u> <u>(dbk)</u>	<u>Azimuth</u> <u>(° T)</u>	<u>Relative</u> <u>Field</u>	<u>ERP</u> <u>(dbk)</u>
0	0.96	20.6	180	0.20	7.0
10	0.96	20.6	190	0.35	11.9
20	0.98	20.8	200	0.49	14.8
30	0.98	20.8	210	0.60	16.6
40	0.91	20.2	220	0.70	17.9
50	0.80	19.1	230	0.80	19.1
60	0.70	17.9	240	0.91	20.2
70	0.60	16.6	250	0.98	20.8
80	0.49	14.8	260	0.98	20.8
90	0.35	11.9	270	0.96	20.6
100	0.20	7.0	280	0.96	20.6
110	0.20	7.0	290	0.96	20.6
120	0.20	7.0	300	0.96	20.6
130	0.20	7.0	310	0.96	20.6
140	0.20	7.0	320	0.96	20.6
150	0.20	7.0	330	0.96	20.6
160	0.20	7.0	340	0.96	20.6
170	0.20	7.0	350	0.96	20.6